

1 WILSON ELSE MOSKOWITZ EDELMAN & DICKER LLP
2 Brian Cieniawski
3 Colt B. Dodrill
4 2231 East Camelback Road, Suite 200
5 Phoenix, AZ 85016
6 480.790.9446 (Direct)
7 480.562.3660 (Main)
8 brian.cieniawski@wilsonelser.com
9 colt.dodrill@wilsonelser.com

10 PISCIOTTI LALLIS ERDREICH
11 Danny C. Lallis (*Pro Hac Vice*)
12 Ryan L. Erdreich (*Pro Hac Vice*)
13 Anthony M. Pisciotto (*Pro Hac Vice*)
14 30 Columbia Turnpike, Suite 205
15 Florham Park, New Jersey 07932
16 Telephone: (973) 245-8100
17 dlallis@pisciotti.com
18 apisciotti@pisciotti.com
19 rerdreich@pisciotti.com

20 *Attorneys for Defendant Ammo A-Z, LLC*

21 **IN THE UNITED STATES DISTRICT COURT**
22 **DISTRICT OF ARIZONA**

23 Estados Unidos Mexicanos,

24 Plaintiff,

25 vs.

26 Diamondback Shooting Sports, Inc., an
27 Arizona corporation; SNG Tactical, LLC,
28 an Arizona limited liability company;
Loan Prairie, LLC D/B/A The Hub, an
Arizona limited liability company;
Ammo A-Z, LLC, an Arizona limited
liability company; Sprague's Sports, Inc.,
an Arizona corporation,

Defendants.

Case No: 4:22-cv-00472-CKJ

DEFENDANT AMMO A-Z, LLC'S
AMENDED ANSWER TO
PLAINTIFF'S COMPLAINT AND
AFFIRMATIVE DEFENSES

Jury trial demanded

Defendant Ammo A-Z, LLC, ("AA-Z" or "Defendant") by and through its attorneys,
WILSON ELSE MOSKOWITZ EDELMAN & DICKER LLP and PISCIOTTI LALLIS
ERDREICH as and for its Answer to the Complaint of Plaintiff herein, respectfully sets forth

as follows:

I. INTRODUCTION

1. Defendant admits that it is a federally licensed firearms dealer located in Arizona. Defendant denies all remaining allegations directed at it in paragraph “1” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph “1” of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

2. Defendant denies all allegations directed at it in paragraph “2” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph “2” of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

3. Defendant denies knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations in paragraph “3” of the Plaintiff’s Complaint.

4. Defendant denies knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations in paragraph “4” of the Plaintiff’s Complaint.

5. Defendant denies any allegation of trafficking firearms. Defendant further denies all remaining allegations directed at it in paragraph “5” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph “5” of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

6. Defendant denies all allegations directed at it in paragraph “6” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in

1 paragraph “6” of the Complaint are directed to other defendants, AA-Z denies knowledge or
2 information sufficient to form a belief about the truth of such allegations.

3 7. Defendant denies all allegations directed at it in paragraph “7” of the Complaint
4 and refers all questions of law to this Honorable Court. To the extent the allegations in
5 paragraph “7” of the Complaint are directed to other defendants, AA-Z denies knowledge or
6 information sufficient to form a belief about the truth of such allegations.
7

8 8. Defendant denies all allegations directed at it in paragraph “8” of the Complaint
9 and refers all questions of law to this Honorable Court. To the extent the allegations in
10 paragraph “8” of the Complaint are directed to other defendants, AA-Z denies knowledge or
11 information sufficient to form a belief about the truth of such allegations.
12

13 9. Defendant denies all allegations directed at it in paragraph “9” of the Complaint
14 and refers all questions of law to this Honorable Court. To the extent the allegations in
15 paragraph “9” of the Complaint are directed to other defendants, AA-Z denies knowledge or
16 information sufficient to form a belief about the truth of such allegations.
17

18 10. Defendant denies all allegations directed at it in paragraph “10” of the Complaint
19 and refers all questions of law to this Honorable Court. To the extent the allegations in
20 paragraph “10” of the Complaint are directed to other defendants, AA-Z denies knowledge
21 or information sufficient to form a belief about the truth of such allegations.
22

23 11. Defendant denies all allegations directed at it in paragraph “11” of the Complaint
24 and refers all questions of law to this Honorable Court. To the extent the allegations in
25 paragraph “11” of the Complaint are directed to other defendants, AA-Z denies knowledge
26 or information sufficient to form a belief about the truth of such allegations.
27
28

1 18. Defendant admits that it is a duly licensed and operating Arizona limited liability
2 company. Defendant denies all the remaining allegations in paragraph “18” of the Complaint
3 and refers all questions of law to this Honorable Court.

4 19. Defendant denies knowledge or information sufficient to form a belief as to the
5 truth or accuracy of the allegations in paragraph “19” of the Plaintiff’s Complaint.
6

7 20. Defendant denies engaging in any unlawful actions. Defendant further denies all
8 the remaining allegations in paragraph “20” of the Complaint and refers all questions of law
9 to this Honorable Court.
10

11 **III. JURISDICTION AND VENUE**

12 21. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s RICO
13 claims (Counts Nine through Thirteen) were dismissed and cannot form a basis for subject
14 matter jurisdiction. Answering further, Defendant admits there is complete diversity between
15 the Plaintiff and Defendants. Defendant denies all remaining allegations in paragraph “21” of
16 the Complaint and refers all questions of law to this Honorable Court.
17

18 22. Defendant denies that any “events or omissions” committed by it give rise to any
19 claims being brought in this matter. Defendant admits, based on the allegations, that venue is
20 proper.
21

22 **IV. EACH DEFENDANT KNOWINGLY PARTICIPATES IN GUN** 23 **TRAFFICKING TO MEXICO**

24 23. Defendant denies all allegations directed at it in paragraph “23” of the Complaint
25 and refers all questions of law to this Honorable Court. To the extent the allegations in
26 paragraph “23” of the Complaint are directed to other defendants, AA-Z denies knowledge
27 or information sufficient to form a belief about the truth of such allegations.
28

1 24. Defendant denies all allegations directed at it in paragraph “24” of the Complaint
2 and refers all questions of law to this Honorable Court. To the extent the allegations in
3 paragraph “24” of the Complaint are directed to other defendants, AA-Z denies knowledge
4 or information sufficient to form a belief about the truth of such allegations.
5

6 25. Defendant denies all allegations directed at it in paragraph “25” of the Complaint
7 and refers all questions of law to this Honorable Court. To the extent the allegations in
8 paragraph “25” of the Complaint are directed to other defendants, AA-Z denies knowledge
9 or information sufficient to form a belief about the truth of such allegations.
10

11 26. Defendant denies knowledge or information sufficient to form a belief as to the
12 truth or accuracy of the allegations in paragraph “26” of the Plaintiff’s Complaint.

13 27. Defendant denies knowledge or information sufficient to form a belief as to the
14 truth or accuracy of the allegations in paragraph “27” of the Plaintiff’s Complaint.
15

16 28. Defendant denies all allegations directed at it in paragraph “28” of the Complaint
17 and refers all questions of law to this Honorable Court. To the extent the allegations in
18 paragraph “28” of the Complaint are directed to other defendants, AA-Z denies knowledge
19 or information sufficient to form a belief about the truth of such allegations.
20

21 29. Defendant denies trafficking any firearms. Defendant further denies all
22 remaining allegations directed at it in paragraph “29” of the Complaint and refers all questions
23 of law to this Honorable Court. To the extent the allegations in paragraph “29” of the
24 Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient
25 to form a belief about the truth of such allegations.
26

27 30. Defendant denies all allegations directed at it in paragraph “30” of the Complaint
28 and refers all questions of law to this Honorable Court. To the extent the allegations in

1 paragraph “30” of the Complaint are directed to other defendants, AA-Z denies knowledge
2 or information sufficient to form a belief about the truth of such allegations.

3 31. Defendant denies all allegations directed at it in paragraph “31” of the Complaint
4 and refers all questions of law to this Honorable Court. To the extent the allegations in
5 paragraph “31” of the Complaint are directed to other defendants, AA-Z denies knowledge
6 or information sufficient to form a belief about the truth of such allegations.
7

8 32. Defendant denies trafficking any firearms. Defendant further denies all
9 remaining allegations directed at it in paragraph “32” of the Complaint and refers all questions
10 of law to this Honorable Court. To the extent the allegations in paragraph “32” of the
11 Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient
12 to form a belief about the truth of such allegations.
13

14 33. Defendant denies trafficking any firearms. Defendant further denies all
15 remaining allegations directed at it in paragraph “33” of the Complaint and refers all questions
16 of law to this Honorable Court. To the extent the allegations in paragraph “33” of the
17 Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient
18 to form a belief about the truth of such allegations.
19

20 34. Defendant denies all allegations directed at it in paragraph “34” of the Complaint
21 and refers all questions of law to this Honorable Court. To the extent the allegations in
22 paragraph “34” of the Complaint are directed to other defendants, AA-Z denies knowledge
23 or information sufficient to form a belief about the truth of such allegations.
24

25 35. Defendant denies all allegations directed at it in paragraph “35” of the Complaint
26 and refers all questions of law to this Honorable Court. To the extent the allegations in
27 paragraph “35” of the Complaint are directed to other defendants, AA-Z denies knowledge
28

1 or information sufficient to form a belief about the truth of such allegations.

2 36. Defendant denies all allegations directed at it in paragraph “36” of the Complaint
3 and refers all questions of law to this Honorable Court. To the extent the allegations in
4 paragraph “36” of the Complaint are directed to other defendants, AA-Z denies knowledge
5 or information sufficient to form a belief about the truth of such allegations.
6

7 37. Defendant denies all allegations directed at it in paragraph “37” of the Complaint
8 and refers all questions of law to this Honorable Court. To the extent the allegations in
9 paragraph “37” of the Complaint are directed to other defendants, AA-Z denies knowledge
10 or information sufficient to form a belief about the truth of such allegations.
11

12 38. Defendant denies all allegations directed at it in paragraph “38” of the Complaint
13 and refers all questions of law to this Honorable Court. To the extent the allegations in
14 paragraph “38” of the Complaint are directed to other defendants, AA-Z denies knowledge
15 or information sufficient to form a belief about the truth of such allegations.
16

17 39. Defendant denies all allegations directed at it in paragraph “39” of the Complaint
18 and refers all questions of law to this Honorable Court. To the extent the allegations in
19 paragraph “39” of the Complaint are directed to other defendants, AA-Z denies knowledge
20 or information sufficient to form a belief about the truth of such allegations.
21

22 40. Defendant denies all allegations directed at it in paragraph “40” of the Complaint
23 and refers all questions of law to this Honorable Court. To the extent the allegations in
24 paragraph “40” of the Complaint are directed to other defendants, AA-Z denies knowledge
25 or information sufficient to form a belief about the truth of such allegations.
26

27 41. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
28 not apply to this action herein, and no response is required to the portions of paragraph “41” of

1 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
2 knowingly participating in “straw sales” and denies trafficking firearms. Defendant further
3 denies all remaining allegations directed at it in paragraph “41” of the Complaint and refers
4 all questions of law to this Honorable Court. To the extent the allegations in paragraph “41”
5 of the Complaint are directed to other defendants, AA-Z denies knowledge or information
6 sufficient to form a belief about the truth of such allegations.
7

8 42. Defendant denies that purchasing more than one handgun is an indicator of
9 trafficking as alleged in paragraph “42” of the Complaint. Defendant admits that federal law
10 requires reporting multiple handgun purchases within a five-business day period. Defendant
11 denies all remaining allegations directed at it in paragraph “42” of the Complaint and refers
12 all questions of law to this Honorable Court.
13

14 43. Defendant admits that there are reporting requirements for sales of long guns in
15 certain regions. Defendant denies all remaining allegations directed at it in paragraph “43” of
16 the Complaint and refers all questions of law to this Honorable Court.
17

18 44. Defendant denies trafficking any firearms. Defendant further denies all
19 remaining allegations directed at it in paragraph “44” of the Complaint and refers all questions
20 of law to this Honorable Court.
21

22 45. Defendant denies all allegations directed at it in paragraph “45” of the Complaint
23 and refers all questions of law to this Honorable Court. To the extent the allegations in
24 paragraph “45” of the Complaint are directed to other defendants, AA-Z denies knowledge
25 or information sufficient to form a belief about the truth of such allegations.
26

27 46. Defendant denies all allegations directed at it in paragraph “46” of the Complaint
28 and refers all questions of law to this Honorable Court.

1 47. Defendant denies all allegations directed at it in paragraph “47” of the Complaint
2 and refers all questions of law to this Honorable Court.

3 48. Defendant denies trafficking any firearms. Defendant further denies all
4 remaining allegations directed at it in paragraph “48” of the Complaint and refers all questions
5 of law to this Honorable Court. To the extent the allegations in paragraph “48” of the
6 Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient
7 to form a belief about the truth of such allegations.
8

9 49. Defendant denies all allegations directed at it in paragraph “49” of the Complaint
10 and refers all questions of law to this Honorable Court. To the extent the allegations in
11 paragraph “49” of the Complaint are directed to other defendants, AA-Z denies knowledge
12 or information sufficient to form a belief about the truth of such allegations.
13

14 50. Defendant denies trafficking any firearms. Defendant further denies all
15 remaining allegations directed at it in paragraph “50” of the Complaint and refers all questions
16 of law to this Honorable Court. To the extent the allegations in paragraph “49” of the
17 Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient
18 to form a belief about the truth of such allegations.
19

20 51. Defendant denies all allegations directed at it in paragraph “51” of the Complaint
21 and refers all questions of law to this Honorable Court.
22

23 52. Defendant denies making any reckless or unlawful sales of firearms. Defendant
24 does sell modern sporting rifles. Defendant denies all remaining allegations directed at it in
25 paragraph “52” of the Complaint and refers all questions of law to this Honorable Court. To
26 the extent the allegations in paragraph “52” of the Complaint are directed to other defendants,
27 AA-Z denies knowledge or information sufficient to form a belief about the truth of such
28

1 allegations.

2 53. Defendant denies all allegations directed at it in paragraph “53” of the Complaint
3 and refers all questions of law to this Honorable Court. To the extent the allegations in
4 paragraph “53” of the Complaint are directed to other defendants, AA-Z denies knowledge
5 or information sufficient to form a belief about the truth of such allegations.
6

7 **V. EXAMPLES OF SPECIFIC SALES ILLUSTRATE THAT DEFENDANTS’**
8 **PARTICIPATION IN THE TRAFFICKING IS SYSTEMATIC AND**
9 **KNOWING.**

10 54. Defendant denies all allegations directed at it in paragraph “54” of the Complaint
11 and refers all questions of law to this Honorable Court. To the extent the allegations in
12 paragraph “54” of the Complaint are directed to other defendants, AA-Z denies knowledge
13 or information sufficient to form a belief about the truth of such allegations.

14 55. Defendant denies all allegations directed at it in paragraph “55” of the Complaint
15 and refers all questions of law to this Honorable Court. To the extent the allegations in
16 paragraph “55” of the Complaint are directed to other defendants, AA-Z denies knowledge
17 or information sufficient to form a belief about the truth of such allegations.
18

19 56. Defendant denies all allegations in paragraph “56” of the Complaint and refers
20 all questions of law to this Honorable Court.
21

22 57. Defendant denies knowledge or information sufficient to form a belief as to the
23 truth or accuracy of the allegations in paragraph “57” of the Plaintiff’s Complaint.

24 58. Defendant denies knowledge or information sufficient to form a belief as to the
25 truth or accuracy of the allegations in paragraph “58” of the Plaintiff’s Complaint.
26

27 59. Defendant denies knowledge or information sufficient to form a belief as to the
28 truth or accuracy of the allegations in paragraph “59” of the Plaintiff’s Complaint.

1 60. Defendant denies knowledge or information sufficient to form a belief as to the
2 truth or accuracy of the allegations in paragraph “60” of the Plaintiff’s Complaint.

3 61. Defendant denies knowledge or information sufficient to form a belief as to the
4 truth or accuracy of the allegations in paragraph “61” of the Plaintiff’s Complaint.

5 62. Defendant denies knowledge or information sufficient to form a belief as to the
6 truth or accuracy of the allegations in paragraph “62” of the Plaintiff’s Complaint.

7 63. Defendant denies knowledge or information sufficient to form a belief as to the
8 truth or accuracy of the allegations in paragraph “63” of the Plaintiff’s Complaint and
9 therefore the allegations and assertions therein are denied.
10

11 64. Defendant denies knowledge or information sufficient to form a belief as to the
12 truth or accuracy of the allegations in paragraph “64” of the Plaintiff’s Complaint.

13 65. Defendant denies all allegations directed at it in paragraph “65” of the Complaint
14 and refers all questions of law to this Honorable Court. To the extent the allegations in
15 paragraph “65” of the Complaint are directed to other defendants, AA-Z denies knowledge
16 or information sufficient to form a belief about the truth of such allegations.
17

18 66. Defendant denies all allegations in paragraph “66” of the Complaint and refers
19 all questions of law to this Honorable Court.
20

21 67. Defendant denies knowledge or information sufficient to form a belief as to the
22 truth or accuracy of the allegations in paragraph “67” of the Plaintiff’s Complaint.

23 68. Defendant denies knowledge or information sufficient to form a belief as to the
24 truth or accuracy of the allegations in paragraph “68” of the Plaintiff’s Complaint.
25

26 69. Defendant denies knowledge or information sufficient to form a belief as to the
27 truth or accuracy of the allegations in paragraph “69” of the Plaintiff’s Complaint.
28

1 70. Defendant denies knowledge or information sufficient to form a belief as to the
2 truth or accuracy of the allegations in paragraph “70” of the Plaintiff’s Complaint.

3 71. Defendant denies knowledge or information sufficient to form a belief as to the
4 truth or accuracy of the allegations in paragraph “71” of the Plaintiff’s Complaint.

5 72. Defendant denies knowledge or information sufficient to form a belief as to the
6 truth or accuracy of the allegations in paragraph “72” of the Plaintiff’s Complaint.

7 73. Defendant denies knowledge or information sufficient to form a belief as to the
8 truth or accuracy of the allegations in paragraph “73” of the Plaintiff’s Complaint.

9 74. Defendant denies knowledge or information sufficient to form a belief as to the
10 truth or accuracy of the allegations in paragraph “74” of the Plaintiff’s Complaint.

11 75. Defendant denies knowledge or information sufficient to form a belief as to the
12 truth or accuracy of the allegations in paragraph “75” of the Plaintiff’s Complaint.

13 76. Defendant denies knowledge or information sufficient to form a belief as to the
14 truth or accuracy of the allegations in paragraph “76” of the Plaintiff’s Complaint.

15 77. Defendant denies knowledge or information sufficient to form a belief as to the
16 truth or accuracy of the allegations in paragraph “77” of the Plaintiff’s Complaint.

17 78. Defendant denies knowledge or information sufficient to form a belief as to the
18 truth or accuracy of the allegations in paragraph “78” of the Plaintiff’s Complaint.

19 79. Defendant denies knowledge or information sufficient to form a belief as to the
20 truth or accuracy of the allegations in paragraph “79” of the Plaintiff’s Complaint.

21 80. Defendant denies knowledge or information sufficient to form a belief as to the
22 truth or accuracy of the allegations in paragraph “80” of the Plaintiff’s Complaint.

23 81. Defendant denies all allegations directed at it in paragraph “81” of the Complaint
24
25
26
27
28

1 and refers all questions of law to this Honorable Court. To the extent the allegations in
2 paragraph “81” of the Complaint are directed to other defendants, AA-Z denies knowledge
3 or information sufficient to form a belief about the truth of such allegations.

4 82. Defendant denies all allegations directed at it in paragraph “82” of the Complaint
5 and refers all questions of law to this Honorable Court. To the extent the allegations in
6 paragraph “82” of the Complaint are directed to other defendants, AA-Z denies knowledge
7 or information sufficient to form a belief about the truth of such allegations.
8

9 83. Defendant denies all allegations directed at it in paragraph “83” of the Complaint
10 and refers all questions of law to this Honorable Court. To the extent the allegations in
11 paragraph “83” of the Complaint are directed to other defendants, AA-Z denies knowledge
12 or information sufficient to form a belief about the truth of such allegations.
13

14 84. Defendant denies all allegations directed at it in paragraph “84” of the Complaint
15 and refers all questions of law to this Honorable Court. To the extent the allegations in
16 paragraph “84” of the Complaint are directed to other defendants, AA-Z denies knowledge
17 or information sufficient to form a belief about the truth of such allegations.
18

19 85. Defendant denies all allegations directed at it in paragraph “85” of the Complaint
20 and refers all questions of law to this Honorable Court. To the extent the allegations in
21 paragraph “85” of the Complaint are directed to other defendants, AA-Z denies knowledge
22 or information sufficient to form a belief about the truth of such allegations.
23

24 86. Defendant denies knowledge or information sufficient to form a belief as to the
25 truth or accuracy of the allegations in paragraph “86” of the Plaintiff’s Complaint.
26

27 87. Defendant denies knowledge or information sufficient to form a belief as to the
28 truth or accuracy of the allegations in paragraph “87” of the Plaintiff’s Complaint.

1 88. Defendant denies knowledge or information sufficient to form a belief as to the
2 truth or accuracy of the allegations in paragraph “88” of the Plaintiff’s Complaint.

3 89. Defendant denies all allegations in paragraph “89” of the Complaint and refers
4 all questions of law to this Honorable Court.

5 90. Defendant denies all allegations in paragraph “90” of the Complaint and refers
6 all questions of law to this Honorable Court.

7 91. Defendant denies knowledge or information sufficient to form a belief as to the
8 truth or accuracy of the allegations directed at it in paragraph “91” of the Plaintiff’s
9 Complaint. To the extent the allegations in paragraph “91” of the Complaint are directed to
10 other defendants, AA-Z denies knowledge or information sufficient to form a belief about the
11 truth of such allegations.

12 92. Defendant denies all allegations directed at it in paragraph “92” of the Complaint
13 and refers all questions of law to this Honorable Court. To the extent the allegations in
14 paragraph “92” of the Complaint are directed to other defendants, AA-Z denies knowledge
15 or information sufficient to form a belief about the truth of such allegations.

16 93. Defendant denies knowledge or information sufficient to form a belief as to the
17 truth or accuracy of the allegations in paragraph “93” of the Plaintiff’s Complaint.

18 94. Defendant denies knowledge or information sufficient to form a belief as to the
19 truth or accuracy of the allegations in paragraph “94” of the Plaintiff’s Complaint.

20 95. Defendant denies knowledge or information sufficient to form a belief as to the
21 truth or accuracy of the allegations in paragraph “95” of the Plaintiff’s Complaint.

22 96. Defendant denies knowledge or information sufficient to form a belief as to the
23 truth or accuracy of the allegations in paragraph “96” of the Plaintiff’s Complaint.

1 97. Defendant denies knowledge or information sufficient to form a belief as to the
2 truth or accuracy of the allegations in paragraph “97” of the Plaintiff’s Complaint.

3 98. Defendant denies knowledge or information sufficient to form a belief as to the
4 truth or accuracy of the allegations in paragraph “98” of the Plaintiff’s Complaint.

5 99. Defendant denies knowledge or information sufficient to form a belief as to the
6 truth or accuracy of the allegations in paragraph “99” of the Plaintiff’s Complaint.

7 100. Defendant denies knowledge or information sufficient to form a belief as to the
8 truth or accuracy of the allegations in paragraph “100” of the Plaintiff’s Complaint.

9 101. Defendant denies knowledge or information sufficient to form a belief as to the
10 truth or accuracy of the allegations in paragraph “101” of the Plaintiff’s Complaint.

11 102. Defendant denies knowledge or information sufficient to form a belief as to the
12 truth or accuracy of the allegations in paragraph “102” of the Plaintiff’s Complaint.

13 103. Defendant denies knowledge or information sufficient to form a belief as to the
14 truth or accuracy of the allegations in paragraph “103” of the Plaintiff’s Complaint.

15 104. Defendant denies knowledge or information sufficient to form a belief as to the
16 truth or accuracy of the allegations in paragraph “104” of the Plaintiff’s Complaint.

17 105. Defendant denies knowledge or information sufficient to form a belief as to the
18 truth or accuracy of the allegations in paragraph “105” of the Plaintiff’s Complaint.

19 106. Defendant denies knowledge or information sufficient to form a belief as to the
20 truth or accuracy of the allegations in paragraph “106” of the Plaintiff’s Complaint.

21 107. Defendant denies knowledge or information sufficient to form a belief as to the
22 truth or accuracy of the allegations in paragraph “107” of the Plaintiff’s Complaint.

23 108. Defendant denies knowledge or information sufficient to form a belief as to the
24
25
26
27
28

1 truth or accuracy of the allegations in paragraph “108” of the Plaintiff’s Complaint.

2 109. Defendant denies knowledge or information sufficient to form a belief as to the
3 truth or accuracy of the allegations in paragraph “109” of the Plaintiff’s Complaint.

4 110. Defendant denies knowledge or information sufficient to form a belief as to the
5 truth or accuracy of the allegations in paragraph “110” of the Plaintiff’s Complaint.

6 111. Defendant denies knowledge or information sufficient to form a belief as to the
7 truth or accuracy of the allegations in paragraph “111” of the Plaintiff’s Complaint.

8 112. Defendant denies knowledge or information sufficient to form a belief as to the
9 truth or accuracy of the allegations in paragraph “112” of the Plaintiff’s Complaint.

10 113. Defendant denies all allegations in paragraph “113” of the Complaint and refers
11 all questions of law to this Honorable Court.

12 114. Defendant denies knowledge or information sufficient to form a belief as to the
13 truth or accuracy of the allegations in paragraph “114” of the Plaintiff’s Complaint.

14 115. Defendant denies knowledge or information sufficient to form a belief as to the
15 truth or accuracy of the allegations in paragraph “115” of the Plaintiff’s Complaint.

16 116. Defendant denies knowledge or information sufficient to form a belief as to the
17 truth or accuracy of the allegations in paragraph “116” of the Plaintiff’s Complaint.

18 117. Defendant denies all allegations directed at it in paragraph “117” of the
19 Complaint and refers all questions of law to this Honorable Court. To the extent the
20 allegations in paragraph “117” of the Complaint are directed to other defendants, AA-Z denies
21 knowledge or information sufficient to form a belief about the truth of such allegations.
22
23
24
25
26
27
28

VI. DATA CONFIRM THAT DEFENDANTS' PARTICIPATION IN THE TRAFFICKING IS SYSTEMATIC AND KNOWING.

118. Defendant denies any allegation of trafficking firearms. Defendant further denies all remaining allegations directed at it in paragraph "118" of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph "118" of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

119. Defendant denies any allegation of trafficking firearms. Defendant further denies all remaining allegations directed at it in paragraph "119" of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph "119" of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

120. Defendant denies any allegation of trafficking firearms. Defendant further denies all remaining allegations directed at it in paragraph "120" of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph "120" of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

121. Defendant denies any allegation of trafficking firearms. Defendant further denies all remaining allegations directed at it in paragraph "121" of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph "121" of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

1 122. Defendant denies any allegation of trafficking firearms. Defendant further
2 denies all remaining allegations directed at it in paragraph “122” of the Complaint and refers
3 all questions of law to this Honorable Court. To the extent the allegations in paragraph “122”
4 of the Complaint are directed to other defendants, AA-Z denies knowledge or information
5 sufficient to form a belief about the truth of such allegations.
6

7 123. Defendant denies all allegations directed at it in paragraph “123” of the
8 Complaint and refers all questions of law to this Honorable Court. To the extent the
9 allegations in paragraph “123” of the Complaint are directed to other defendants, AA-Z denies
10 knowledge or information sufficient to form a belief about the truth of such allegations.
11

12 124. Defendant denies all allegations directed at it in paragraph “124” of the
13 Complaint and refers all questions of law to this Honorable Court. To the extent the
14 allegations in paragraph “124” of the Complaint are directed to other defendants, AA-Z denies
15 knowledge or information sufficient to form a belief about the truth of such allegations.
16

17 **VII. EACH DEFENDANT HAS VIOLATED ITS LEGAL DUTIES TO SELL ITS**
18 **GUNS SAFELY AND AVOID ARMING CRIMINALS IN MEXICO.**

19 125. Defendant denies all allegations directed at it in paragraph “125” of the
20 Complaint and refers all questions of law to this Honorable Court. To the extent the
21 allegations in paragraph “125” of the Complaint are directed to other defendants, AA-Z denies
22 knowledge or information sufficient to form a belief about the truth of such allegations.
23

24 126. Defendant denies all allegations directed at it in paragraph “126” of the
25 Complaint and refers all questions of law to this Honorable Court. To the extent the
26 allegations in paragraph “126” of the Complaint are directed to other defendants, AA-Z denies
27 knowledge or information sufficient to form a belief about the truth of such allegations.
28

1 127. Defendant denies all allegations directed at it in paragraph “127” of the
2 Complaint and refers all questions of law to this Honorable Court. To the extent the
3 allegations in paragraph “127” of the Complaint are directed to other defendants, AA-Z denies
4 knowledge or information sufficient to form a belief about the truth of such allegations.
5

6 128. Defendant denies all allegations directed at it in paragraph “128” of the
7 Complaint and refers all questions of law to this Honorable Court. To the extent the
8 allegations in paragraph “128” of the Complaint are directed to other defendants, AA-Z denies
9 knowledge or information sufficient to form a belief about the truth of such allegations.
10

11 129. Defendant denies all allegations directed at it in paragraph “129” of the
12 Complaint and refers all questions of law to this Honorable Court. To the extent the
13 allegations in paragraph “129” of the Complaint are directed to other defendants, AA-Z denies
14 knowledge or information sufficient to form a belief about the truth of such allegations.
15

16 130. Defendant denies all allegations directed at it in paragraph “130” of the
17 Complaint and refers all questions of law to this Honorable Court. To the extent the
18 allegations in paragraph “130” of the Complaint are directed to other defendants, AA-Z denies
19 knowledge or information sufficient to form a belief about the truth of such allegations.
20

21 131. Defendant denies all allegations directed at it in paragraph “131” of the
22 Complaint and refers all questions of law to this Honorable Court. To the extent the
23 allegations in paragraph “131” of the Complaint are directed to other defendants, AA-Z denies
24 knowledge or information sufficient to form a belief about the truth of such allegations.
25

26 132. Defendant admits the basic premise of this paragraph; to the extent any of the
27 assertions are incorrect or taken out of context, Defendant denies those allegations in
28 paragraph “132” of the Complaint.

1 133. Defendant denies assisting or concealing anyone's unlawful dealing in firearms
2 as alleged in paragraph "133" of the Complaint. To the extent the allegations in paragraph
3 "133" of the Complaint are directed to other defendants, AA-Z denies knowledge or
4 information sufficient to form a belief about the truth of such allegations.

5 134. Defendant denies all allegations directed at it in paragraph "134" of the
6 Complaint and refers all questions of law to this Honorable Court. To the extent the
7 allegations in paragraph "134" of the Complaint are directed to other defendants, AA-Z denies
8 knowledge or information sufficient to form a belief about the truth of such allegations.

9 135. Defendant denies all allegations directed at it in paragraph "135" of the
10 Complaint and refers all questions of law to this Honorable Court. To the extent the
11 allegations in paragraph "135" of the Complaint are directed to other defendants, AA-Z denies
12 knowledge or information sufficient to form a belief about the truth of such allegations.

13 136. Defendant denies that the National Shooting Sports Foundation sets a "standard"
14 through its "Don't Lie for the Other Guy" materials. Defendant denies all remaining allegations
15 directed at it in paragraph "136" of the Complaint and refers all questions of law to this
16 Honorable Court. To the extent the allegations in paragraph "136" of the Complaint are
17 directed to other defendants, AA-Z denies knowledge or information sufficient to form a
18 belief about the truth of such allegations.

19 137. Defendant admits the basic premise of the assertions in paragraph "137" of the
20 Complaint.
21

22 138. Defendant admits the assertions in paragraph "138" of the Complaint.

23 139. Defendant states that the referenced statutes and regulations in paragraph "139"
24 speak for themselves, Defendant lacks knowledge or information sufficient to form a belief
25
26
27
28

1 as to why such laws were enacted, and refers all questions of law to this Honorable Court.
2 Defendant further states that BATFE has at times instructed dealers to sell firearms under
3 such situations, as in Operation Fast and Furious.

4 140. Defendant states that the referenced statutes and regulations in paragraph “140”
5 speak for themselves and refers all questions of law to this Honorable Court.
6

7 141. Defendant states that the referenced statutes and regulations in paragraph “141”
8 speak for themselves and refers all questions of law to this Honorable Court.

9 142. Defendant states that the referenced statutes and regulations in paragraph “142”
10 speak for themselves and refers all questions of law to this Honorable Court.
11

12 143. Defendant states that the referenced statutes and regulations in paragraph “143”
13 speak for themselves and refers all questions of law to this Honorable Court.

14 144. Defendant denies selling firearms unlawfully or trafficking firearms. Defendant
15 further denies the remaining allegations in paragraph “144” of the Complaint and refers all
16 questions of law to this Honorable Court.
17

18 145. Defendant states that the referenced statutes and regulations in paragraph “145”
19 speak for themselves, and refers all questions of law to this Honorable Court.
20

21 146. Defendant denies all allegations directed at it in paragraph “146” of the
22 Complaint and refers all questions of law to this Honorable Court. To the extent the
23 allegations in paragraph “146” of the Complaint are directed to other defendants, AA-Z denies
24 knowledge or information sufficient to form a belief about the truth of such allegations. To
25 the extent the allegations in paragraph “136” of the Complaint are directed to other
26 defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth
27 of such allegations.
28

1 147. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does
2 not apply to this action herein, and no response is required to the portions of paragraph "147" of
3 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
4 knowledge of all allegations in paragraph "147" of the Complaint and refers all questions of
5 law to this Honorable Court.
6

7 148. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does
8 not apply to this action herein, and no response is required to the portions of paragraph "148" of
9 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
10 knowledge of all allegations in paragraph "148" of the Complaint and refers all questions of
11 law to this Honorable Court.
12

13 149. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does
14 not apply to this action herein, and no response is required to the portions of paragraph "149" of
15 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
16 knowledge of all allegations in paragraph "149" of the Complaint and refers all questions of
17 law to this Honorable Court.
18

19 150. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does
20 not apply to this action herein, and no response is required to the portions of paragraph "150" of
21 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
22 aiding and abetting and trafficking. Defendant further denies knowledge of the other
23 allegations in paragraph "150" of the Complaint and refers all questions of law to this
24 Honorable Court.
25
26

27 151. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does
28 not apply to this action herein, and no response is required to the portions of paragraph "151" of

1 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
2 knowledge of all allegations in paragraph “151” of the Complaint and refers all questions of
3 law to this Honorable Court.

4 152. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
5 not apply to this action herein, and no response is required to the portions of paragraph “152” of
6 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
7 knowledge of all allegations in paragraph “152” of the Complaint and refers all questions of
8 law to this Honorable Court.

9 153. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
10 not apply to this action herein, and no response is required to the portions of paragraph “153” of
11 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
12 knowledge of all allegations in paragraph “153” of the Complaint and refers all questions of
13 law to this Honorable Court.

14 154. Defendant admits the general statement in paragraph “154” of the Complaint.

15 155. Defendant denies knowledge of all allegations in paragraph “155” of the
16 Complaint and refers all questions of law to this Honorable Court.

17 156. Defendant denies knowledge of all allegations in paragraph “156” of the
18 Complaint and refers all questions of law to this Honorable Court.

19 157. Defendant denies exporting any firearms. Defendant further denies knowledge
20 of all allegations in paragraph “157” of the Complaint and refers all questions of law to this
21 Honorable Court.

22 158. Defendant denies exporting any firearms or aiding and abetting exporting of
23 firearms. Defendant further denies knowledge of the remaining allegations in paragraph
24
25
26
27
28

1 “158” of the Complaint and refers all questions of law to this Honorable Court.

2 159. Defendant denies smuggling firearms. Defendant further denies the remaining
3 allegations in paragraph “159” of the Complaint and refers all questions of law to this
4 Honorable Court.

5 160. Defendant denies knowledge of the actions of non-party “drug cartels” and
6 further denies smuggling or conspiring to smuggle firearms as alleged in paragraph “160” of
7 the Complaint and refers all questions of law to this Honorable Court. Defendant further
8 denies the alleged interpretation of the statute referenced.

9 161. Defendant denies all allegations in paragraph “161” of the Complaint and refers
10 all questions of law to this Honorable Court.

11 162. Defendant denies all allegations in paragraph “162” of the Complaint and refers
12 all questions of law to this Honorable Court.

13 163. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
14 not apply to this action herein, and no response is required to the portions of paragraph “163” of
15 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
16 all allegations in paragraph “163” of the Complaint and refers all questions of law to this
17 Honorable Court.

18 164. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
19 not apply to this action herein, and no response is required to the portions of paragraph “164” of
20 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
21 all allegations in paragraph “164” of the Complaint and refers all questions of law to this
22 Honorable Court.

23 165. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
24
25
26
27
28

1 not apply to this action herein, and no response is required to the portions of paragraph “165” of
2 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
3 all allegations in paragraph “165” of the Complaint and refers all questions of law to this
4 Honorable Court.

5
6 166. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
7 not apply to this action herein, and no response is required to the portions of paragraph “166” of
8 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
9 all allegations in paragraph “166” of the Complaint and refers all questions of law to this
10 Honorable Court.

11
12 167. Defendant denies supplying any criminal market. Defendant further denies the
13 remaining allegations directed at it in paragraph “167” of the Complaint and refers all
14 questions of law to this Honorable Court. To the extent the allegations in paragraph “167” of
15 the Complaint are directed to other defendants, AA-Z denies knowledge or information
16 sufficient to form a belief about the truth of such allegations.

17
18 168. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
19 not apply to this action herein, and no response is required to the portions of paragraph “168” of
20 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
21 all allegations in paragraph “168” of the Complaint, including all sub-parts, and refers all
22 questions of law to this Honorable Court.

23
24 169. Defendant denies all allegations directed at it in paragraph “169” of the
25 Complaint and refers all questions of law to this Honorable Court. To the extent the
26 allegations in paragraph “169” of the Complaint are directed to other defendants, AA-Z denies
27 knowledge or information sufficient to form a belief about the truth of such allegations.
28

1 170. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
2 not apply to this action herein, and no response is required to the portions of paragraph “170” of
3 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
4 all allegations in paragraph “170” of the Complaint and refers all questions of law to this
5 Honorable Court.
6

7 171. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does
8 not apply to this action herein, and no response is required to the portions of paragraph “171” of
9 the Complaint addressing the application of Mexican law. Answering further, Defendant denies
10 all allegations in paragraph “171” of the Complaint and refers all questions of law to this
11 Honorable Court.
12

13 172. Defendant denies all allegations directed at it in paragraph “172” of the
14 Complaint and refers all questions of law to this Honorable Court.
15

16 173. Defendant denies all allegations directed at it in paragraph “173” of the
17 Complaint and refers all questions of law to this Honorable Court.
18

19 174. Defendant denies all allegations directed at it in paragraph “174” of the
20 Complaint and refers all questions of law to this Honorable Court. To the extent the
21 allegations in paragraph “174” of the Complaint are directed to other defendants, AA-Z denies
22 knowledge or information sufficient to form a belief about the truth of such allegations.

23 175. Defendant denies engaging in willful blindness. Defendant further denies the
24 remaining allegations directed at it in paragraph “175” of the Complaint and refers all
25 questions of law to this Honorable Court.
26

27 176. Defendant denies all allegations directed at it in paragraph “176” of the
28 Complaint and refers all questions of law to this Honorable Court. To the extent the

1 allegations in paragraph “176” of the Complaint are directed to other defendants, AA-Z denies
2 knowledge or information sufficient to form a belief about the truth of such allegations.

3 177. Defendant denies all allegations directed at it in paragraph “177” of the
4 Complaint and refers all questions of law to this Honorable Court. To the extent the
5 allegations in paragraph “177” of the Complaint are directed to other defendants, AA-Z denies
6 knowledge or information sufficient to form a belief about the truth of such allegations.
7

8 178. Defendant denies all allegations directed at it in paragraph “178” of the
9 Complaint and refers all questions of law to this Honorable Court. To the extent the
10 allegations in paragraph “178” of the Complaint are directed to other defendants, AA-Z denies
11 knowledge or information sufficient to form a belief about the truth of such allegations.
12

13 **VIII. EACH DEFENDANT KNOWINGLY PARTICIPATES IN RACKETEERING**
14 **ACTIVITIES.**

15 179. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
16 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “179” of the
17 Complaint and refers all questions of law to this Honorable Court.
18

19 180. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
20 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “180” of the
21 Complaint and refers all questions of law to this Honorable Court.
22

23 181. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
24 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “181” of the
25 Complaint and refers all questions of law to this Honorable Court.

26 182. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
27 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “182” of the
28

1 Complaint and refers all questions of law to this Honorable Court.

2 183. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
3 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "183" of the
4 Complaint and refers all questions of law to this Honorable Court.

5 184. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
6 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "184" of the
7 Complaint and refers all questions of law to this Honorable Court.

8 185. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
9 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "185" of the
10 Complaint and refers all questions of law to this Honorable Court.

11 186. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
12 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "186" of the
13 Complaint and refers all questions of law to this Honorable Court.

14 187. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
15 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "187" of the
16 Complaint and refers all questions of law to this Honorable Court.

17 188. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
18 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "188" of the
19 Complaint and refers all questions of law to this Honorable Court.

20 189. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
21 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "189" of the
22 Complaint and refers all questions of law to this Honorable Court.

23 190. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
24
25
26
27
28

1 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “190” of the
2 Complaint and refers all questions of law to this Honorable Court.

3 191. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
4 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
5 paragraph “191” of the Complaint and refers all questions of law to this Honorable Court.
6

7 192. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
8 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “192” of the
9 Complaint and refers all questions of law to this Honorable Court.
10

11 193. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
12 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “193” of the
13 Complaint and refers all questions of law to this Honorable Court.

14 194. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
15 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “194” of the
16 Complaint and refers all questions of law to this Honorable Court.
17

18 195. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
19 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “195” of the
20 Complaint and refers all questions of law to this Honorable Court.
21

22 196. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
23 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “196” of the
24 Complaint and refers all questions of law to this Honorable Court.
25

26 197. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
27 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “197” of the
28 Complaint and refers all questions of law to this Honorable Court.

1 198. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
2 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “198” of the
3 Complaint and refers all questions of law to this Honorable Court.

4 199. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
5 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “199” of the
6 Complaint and refers all questions of law to this Honorable Court.

7 200. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
8 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “200” of the
9 Complaint and refers all questions of law to this Honorable Court.

10 201. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
11 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “201” of the
12 Complaint and refers all questions of law to this Honorable Court.

13 202. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
14 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “202” of the
15 Complaint and refers all questions of law to this Honorable Court.

16 203. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
17 were dismissed. Notwithstanding, Defendant denies trafficking of firearms; and further denies
18 the remaining allegations in paragraph “203” of the Complaint and refers all questions of law
19 to this Honorable Court.

20 204. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
21 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “204” of the
22 Complaint and refers all questions of law to this Honorable Court.

23 205. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
24
25
26
27
28

1 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “205” of the
2 Complaint and refers all questions of law to this Honorable Court.

3 206. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
4 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “206” of the
5 Complaint and refers all questions of law to this Honorable Court.
6

7 207. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
8 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “207” of the
9 Complaint and refers all questions of law to this Honorable Court.
10

11 208. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
12 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “208” of the
13 Complaint and refers all questions of law to this Honorable Court.

14 209. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
15 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “209” of the
16 Complaint and refers all questions of law to this Honorable Court.
17

18 210. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
19 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “210” of the
20 Complaint and refers all questions of law to this Honorable Court.
21

22 211. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
23 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “211” of the
24 Complaint and refers all questions of law to this Honorable Court.
25

26 212. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
27 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “212” of the
28 Complaint and refers all questions of law to this Honorable Court.

1 213. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
2 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "213" of the
3 Complaint and refers all questions of law to this Honorable Court.

4 214. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
5 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "214" of the
6 Complaint and refers all questions of law to this Honorable Court.

7 215. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
8 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "215" of the
9 Complaint and refers all questions of law to this Honorable Court.

10 216. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
11 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "216" of the
12 Complaint and refers all questions of law to this Honorable Court.

13 **IX. EACH DEFENDANT VIOLATES THE CONSUMER FRAUD STATUTE.**

14 217. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
15 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "217" of the
16 Complaint and refers all questions of law to this Honorable Court.

17 218. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
18 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "218" of the
19 Complaint and refers all questions of law to this Honorable Court.

20 219. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
21 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
22 paragraph "219" of the Complaint and refers all questions of law to this Honorable Court.

23 220. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
24
25
26
27
28

1 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
2 paragraph “220” of the Complaint and refers all questions of law to this Honorable Court.

3 221. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
4 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
5 paragraph “221” of the Complaint and refers all questions of law to this Honorable Court.
6

7 222. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
8 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
9 paragraph “222” of the Complaint and refers all questions of law to this Honorable Court.
10

11 223. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
12 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
13 paragraph “223” of the Complaint and refers all questions of law to this Honorable Court.

14 224. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
15 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
16 paragraph “224” of the Complaint and refers all questions of law to this Honorable Court.
17

18 225. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
19 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
20 paragraph “225” of the Complaint and refers all questions of law to this Honorable Court.
21

22 226. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
23 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “226” of the
24 Complaint and refers all questions of law to this Honorable Court.

25 227. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), these allegations
26 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph “227” of the
27 Complaint and refers all questions of law to this Honorable Court.
28

1 228. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
2 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "228" of the
3 Complaint and refers all questions of law to this Honorable Court.

4 229. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
5 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
6 paragraph "229" of the Complaint and refers all questions of law to this Honorable Court.

7 230. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
8 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
9 paragraph "230" of the Complaint and refers all questions of law to this Honorable Court.
10

11 231. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
12 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
13 paragraph "231" of the Complaint and refers all questions of law to this Honorable Court.
14

15 232. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
16 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
17 paragraph "232" of the Complaint and refers all questions of law to this Honorable Court.
18

19 233. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
20 were dismissed. Notwithstanding, Defendant denies knowledge of the allegations in
21 paragraph "233" of the Complaint and refers all questions of law to this Honorable Court.
22

23 234. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), these allegations
24 were dismissed. Notwithstanding, Defendant denies all allegations in paragraph "234" of the
25 Complaint and refers all questions of law to this Honorable Court.
26
27
28

X. EACH DEFENDANT HAS INFLICTED MASSIVE HARM ON THE GOVERNMENT AND ITS CITIZENS.

235. Defendant denies all allegations directed at it in paragraph “235” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph “235” of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

236. Defendant denies all allegations directed at it in paragraph “236” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph “236” of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

237. Defendant denies all allegations directed at it in paragraph “237” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph “237” of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

238. Defendant denies all allegations directed at it in paragraph “238” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph “238” of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

239. Defendant denies all allegations directed at it in paragraph “239” of the Complaint and refers all questions of law to this Honorable Court. To the extent the allegations in paragraph “239” of the Complaint are directed to other defendants, AA-Z denies knowledge or information sufficient to form a belief about the truth of such allegations.

240. Defendant denies all allegations directed at it in paragraph “240” of the

1 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
2 in paragraph “240” of the Complaint are directed to other defendants, AA-Z denies knowledge
3 or information sufficient to form a belief about the truth of such allegations.

4 241. Defendant denies all allegations directed at it in paragraph “241” of the
5 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
6 in paragraph “241” of the Complaint are directed to other defendants, AA-Z denies knowledge
7 or information sufficient to form a belief about the truth of such allegations.
8

9 242. Defendant denies all allegations directed at it in paragraph “242” of the
10 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
11 in paragraph “242” of the Complaint are directed to other defendants, AA-Z denies knowledge
12 or information sufficient to form a belief about the truth of such allegations.
13

14 243. Defendant denies all allegations in paragraph “243” of the Complaint and refers
15 all questions of law to this Honorable Court.
16

17 244. Defendant denies all allegations in paragraph “244” of the Complaint and refers
18 all questions of law to this Honorable Court.

19 245. Defendant denies all allegations in paragraph “245” of the Complaint and refers
20 all questions of law to this Honorable Court.
21

22 246. Defendant denies all allegations in paragraph “246” of the Complaint and refers
23 all questions of law to this Honorable Court.

24 247. Defendant denies all allegations directed at it in paragraph “247” of the
25 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
26 in paragraph “247” of the Complaint are directed to other defendants, AA-Z denies knowledge
27 or information sufficient to form a belief about the truth of such allegations.
28

1 248. Defendant denies all allegations directed at it in paragraph “248” of the
2 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
3 in paragraph “248” of the Complaint are directed to other defendants, AA-Z denies knowledge
4 or information sufficient to form a belief about the truth of such allegations.
5

6 249. Defendant denies all allegations directed at it in paragraph “249” of the
7 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
8 in paragraph “249” of the Complaint are directed to other defendants, AA-Z denies knowledge
9 or information sufficient to form a belief about the truth of such allegations.
10

11 250. Defendant denies all allegations in paragraph “250” of the Complaint and refers
12 all questions of law to this Honorable Court.

13 251. Defendant denies all allegations in paragraph “251” of the Complaint and refers
14 all questions of law to this Honorable Court.
15

16 252. Defendant denies all allegations directed at it in paragraph “252” of the
17 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
18 in paragraph “252” of the Complaint are directed to other defendants, AA-Z denies knowledge
19 or information sufficient to form a belief about the truth of such allegations.
20

21 253. Defendant denies all allegations in paragraph “253” of the Complaint and refers
22 all questions of law to this Honorable Court.

23 254. Defendant denies all allegations in paragraph “254” of the Complaint and refers
24 all questions of law to this Honorable Court.
25

26 255. Defendant denies all allegations in paragraph “255” of the Complaint and refers
27 all questions of law to this Honorable Court.

28 256. Defendant denies all allegations in paragraph “256” of the Complaint and refers

1 all questions of law to this Honorable Court.

2 257. Defendant denies all allegations in paragraph “257” of the Complaint and refers
3 all questions of law to this Honorable Court.

4 258. Defendant denies all allegations directed at it in paragraph “258” of the
5 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
6 in paragraph “258” of the Complaint are directed to other defendants, AA-Z denies knowledge
7 or information sufficient to form a belief about the truth of such allegations.

9 259. Defendant denies all allegations directed at it in paragraph “259” of the
10 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
11 in paragraph “259” of the Complaint are directed to other defendants, AA-Z denies knowledge
12 or information sufficient to form a belief about the truth of such allegations.

14 260. Defendant denies all allegations directed at it in paragraph “260” of the
15 Complaint and refers all questions of law to this Honorable Court. To the extent the allegations
16 in paragraph “260” of the Complaint are directed to other defendants, AA-Z denies knowledge
17 or information sufficient to form a belief about the truth of such allegations.

19 **XI. CLAIMS FOR RELIEF**
20 **COUNT ONE**
21 **(NEGLIGENCE)**

22 261. Defendant incorporates by reference its answers and responses to Plaintiff’s
23 allegations contained in Paragraphs 1-260 of Plaintiff’s Complaint as if fully re-stated herein.

24 262. Defendant denies all allegations directed at it in paragraph “262” of the
25 Complaint and refers all questions of law to this Honorable Court.

27 263. Defendant denies all allegations directed at it in paragraph “263” of the
28 Complaint and refers all questions of law to this Honorable Court.

1 264. Defendant denies all allegations directed at it in paragraph “264” of the
2 Complaint and refers all questions of law to this Honorable Court.

3 265. Defendant denies all allegations directed at it in paragraph “265” of the
4 Complaint and refers all questions of law to this Honorable Court.

5
6 **COUNT II**
7 **(PUBLIC NUISANCE)**

8 266. Defendant incorporates by reference its answers and responses to Plaintiff’s
9 allegations contained in Paragraphs 1-265 of Plaintiff’s Complaint as if fully re-stated herein.

10 267. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
11 a response is required Defendant denies all allegations directed at it in paragraph “267” of the
12 Complaint and refers all questions of law to this Honorable Court.

13 268. These allegations were dismissed by order of the Court, Dkt .50. To the extent
14 a response is required Defendant denies all allegations directed at it in paragraph “268” of the
15 Complaint and refers all questions of law to this Honorable Court.

16 269. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
17 a response is required Defendant denies all allegations directed at it in paragraph “269” of the
18 Complaint and refers all questions of law to this Honorable Court.

19 270. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
20 a response is required Defendant denies all allegations directed at it in paragraph “270” of the
21 Complaint and refers all questions of law to this Honorable Court.

22 271. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
23 a response is required Defendant denies all allegations directed at it in paragraph “271” of the
24 Complaint and refers all questions of law to this Honorable Court.

1 272. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
2 a response is required Defendant denies all allegations directed at it in paragraph “272” of the
3 Complaint and refers all questions of law to this Honorable Court.

4 273. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
5 a response is required Defendant denies all allegations directed at it in paragraph “267” of the
6 Complaint and refers all questions of law to this Honorable Court.
7

8 **COUNT THREE**
9 **(NEGLIGENT ENTRUSTMENT)**

10 274. Defendant incorporates by reference its answers and responses to Plaintiff’s
11 allegations contained in Paragraphs 1-273 of Plaintiff’s Complaint as if fully re-stated herein.

12 275. Defendant denies all allegations directed at it in paragraph “275” of the
13 Complaint and refers all questions of law to this Honorable Court.
14

15 276. Defendant denies all allegations directed at it in paragraph “276” of the
16 Complaint and refers all questions of law to this Honorable Court.

17 277. Defendant denies all allegations directed at it in paragraph “277” of the
18 Complaint and refers all questions of law to this Honorable Court.
19

20 278. Defendant denies all allegations directed at it in paragraph “278” of the
21 Complaint and refers all questions of law to this Honorable Court.

22 279. Defendant denies all allegations directed at it in paragraph “279” of the
23 Complaint and refers all questions of law to this Honorable Court.
24

25 280. Defendant denies all allegations directed at it in paragraph “280” of the
26 Complaint and refers all questions of law to this Honorable Court.

27 281. Defendant denies all allegations directed at it in paragraph “281” of the
28

1 Complaint and refers all questions of law to this Honorable Court.

2 282. Defendant denies all allegations directed at it in paragraph “282” of the
3 Complaint and refers all questions of law to this Honorable Court.

4 283. Defendant denies all allegations directed at it in paragraph “283” of the
5 Complaint and refers all questions of law to this Honorable Court.
6

7 **COUNT FOUR**
8 **(NEGLIGENCE PER SE)**

9 284. Defendant incorporates by reference its answers and responses to Plaintiff’s
10 allegations contained in Paragraphs 1-283 of Plaintiff’s Complaint as if fully re-stated herein.

11 285. Defendant denies all allegations directed at it in paragraph “285” of the
12 Complaint and refers all questions of law to this Honorable Court.
13

14 286. Defendant denies all allegations directed at it in paragraph “286” of the
15 Complaint and refers all questions of law to this Honorable Court.

16 287. Defendant denies all allegations directed at it in paragraph “287” of the
17 Complaint and refers all questions of law to this Honorable Court.
18

19 **COUNT FIVE**
20 **(GROSS NEGLIGENCE)**

21 288. Defendant incorporates by reference its answers and responses to Plaintiff’s
22 allegations contained in Paragraphs 1-287 of Plaintiff’s Complaint as if fully re-stated herein.

23 289. Defendant denies all allegations directed at it in paragraph “289” of the
24 Complaint and refers all questions of law to this Honorable Court.
25

26 290. Defendant denies trafficking firearms. Defendant further denies all allegations
27 directed at it in paragraph “290” of the Complaint and refers all questions of law to this
28 Honorable Court.

1 291. Defendant denies all allegations directed at it in paragraph “291” of the
2 Complaint and refers all questions of law to this Honorable Court.

3 292. Defendant denies all allegations directed at it in paragraph “292” of the
4 Complaint and refers all questions of law to this Honorable Court.

5 293. Defendant denies all allegations directed at it in paragraph “293” of the
6 Complaint and refers all questions of law to this Honorable Court.

7
8 **COUNT SIX**
9 **(UNJUST ENRICHMENT AND RESTITUTION)**

10 294. Defendant incorporates by reference its answers and responses to Plaintiff’s
11 allegations contained in Paragraphs 1-293 of Plaintiff’s Complaint as if fully re-stated herein.

12 295. Defendant denies all allegations directed at it in paragraph “295” of the
13 Complaint and refers all questions of law to this Honorable Court.

14 296. Defendant denies all allegations directed at it in paragraph “296” of the
15 Complaint and refers all questions of law to this Honorable Court.

16 297. Defendant denies all allegations directed at it in paragraph “297” of the
17 Complaint and refers all questions of law to this Honorable Court.

18 298. Defendant denies all allegations directed at it in paragraph “298” of the
19 Complaint and refers all questions of law to this Honorable Court.

20 299. Defendant denies being asked or responsible for paying for Mexico’s crime
21 problems. Defendant further denies the remaining allegations directed at it in paragraph “299”
22 of the Complaint and refers all questions of law to this Honorable Court.

23 300. Defendant denies all allegations directed at it in paragraph “300” of the
24 Complaint and refers all questions of law to this Honorable Court.
25
26
27
28

1 301. Defendant denies all allegations directed at it in paragraph “301” of the
2 Complaint and refers all questions of law to this Honorable Court.

3 302. Defendant denies all allegations directed at it in paragraph “302” of the
4 Complaint and refers all questions of law to this Honorable Court.

5
6 **COUNT SEVEN**
7 **(VIOLATION OF ARIZONA’S CONSUMER FRAUD ACT)**

8 303. Defendant incorporates by reference its answers and responses to Plaintiff’s
9 allegations contained in Paragraphs 1-302 of Plaintiff’s Complaint as if fully re-stated herein.

10 304. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
11 a response is required Defendant denies all allegations directed at it in paragraph “304” of the
12 Complaint and refers all questions of law to this Honorable Court.

13 305. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
14 a response is required Defendant denies all allegations directed at it in paragraph “305” of the
15 Complaint and refers all questions of law to this Honorable Court.

16 306. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
17 a response is required Defendant denies all allegations directed at it in paragraph “306” of the
18 Complaint and refers all questions of law to this Honorable Court.

19 307. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
20 a response is required Defendant denies all allegations directed at it in paragraph “307” of the
21 Complaint and refers all questions of law to this Honorable Court.

22 308. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
23 a response is required Defendant denies all allegations directed at it in paragraph “308” of the
24 Complaint and refers all questions of law to this Honorable Court.
25
26
27
28

1 309. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
2 a response is required Defendant denies all allegations directed at it in paragraph “309” of the
3 Complaint and refers all questions of law to this Honorable Court.

4 **COUNT EIGHT**
5 **(PUNITIVE DAMAGES)**

6 310. Defendant incorporates by reference its answers and responses to Plaintiff’s
7 allegations contained in Paragraphs 1-309 of Plaintiff’s Complaint as if fully re-stated herein.

8 311. Defendant denies all allegations directed at it in paragraph “311” of the
9 Complaint and refers all questions of law to this Honorable Court.

10 312. Defendant denies all allegations directed at it in paragraph “312” of the
11 Complaint and refers all questions of law to this Honorable Court.

12 313. Defendant denies all allegations directed at it in paragraph “313” of the
13 Complaint and refers all questions of law to this Honorable Court.

14 **COUNT NINE**
15 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATION ACT 18**
16 **U.S.C 1962(C))**

17 314. Defendant incorporates by reference its answers and responses to Plaintiff’s
18 allegations contained in Paragraphs 1-313 of Plaintiff’s Complaint as if fully re-stated herein.

19 315. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
20 a response is required Defendant denies all allegations directed at it in paragraph “315” of the
21 Complaint and refers all questions of law to this Honorable Court.

22 316. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
23 a response is required Defendant denies all allegations directed at it in paragraph “316” of the
24 Complaint and refers all questions of law to this Honorable Court.

1 317. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
2 a response is required Defendant denies all allegations directed at it in paragraph “317” of the
3 Complaint and refers all questions of law to this Honorable Court.

4 318. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
5 a response is required Defendant denies all allegations directed at it in paragraph “318” of the
6 Complaint and refers all questions of law to this Honorable Court.

7 319. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
8 a response is required Defendant denies all allegations directed at it in paragraph “319” of the
9 Complaint and refers all questions of law to this Honorable Court.
10

11
12 **COUNT TEN**
13 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATION ACT 18**
14 **U.S.C 1962(C))**

15 320. Defendant incorporates by reference its answers and responses to Plaintiff’s
16 allegations contained in Paragraphs 1-319 of Plaintiff’s Complaint as if fully re-stated herein.

17 321. These allegations were dismissed by order of the Court, Dkt .50. To the extent
18 a response is required Defendant denies all allegations directed at it in paragraph “321” of the
19 Complaint and refers all questions of law to this Honorable Court.

20 322. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
21 a response is required Defendant denies all allegations directed at it in paragraph “322” of the
22 Complaint and refers all questions of law to this Honorable Court.

23 323. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
24 a response is required Defendant denies all allegations directed at it in paragraph “323” of the
25 Complaint and refers all questions of law to this Honorable Court.
26

27 324. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
28

1 a response is required Defendant denies all allegations directed at it in paragraph “324” of the
2 Complaint and refers all questions of law to this Honorable Court.

3 325. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
4 a response is required Defendant denies all allegations directed at it in paragraph “325” of the
5 Complaint and refers all questions of law to this Honorable Court.
6

7 **COUNT ELEVEN**
8 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATION ACT 18**
9 **U.S.C 1962(C)**

10 326. Defendant incorporates by reference its answers and responses to Plaintiff’s
11 allegations contained in Paragraphs 1-325 of Plaintiff’s Complaint as if fully re-stated herein.

12 327. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
13 a response is required Defendant denies all allegations directed at it in paragraph “327” of the
14 Complaint and refers all questions of law to this Honorable Court.
15

16 328. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
17 a response is required Defendant denies all allegations directed at it in paragraph “328” of the
18 Complaint and refers all questions of law to this Honorable Court.

19 329. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
20 a response is required Defendant denies all allegations directed at it in paragraph “329” of the
21 Complaint and refers all questions of law to this Honorable Court.
22

23 330. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
24 a response is required Defendant denies all allegations directed at it in paragraph “3305” of
25 the Complaint and refers all questions of law to this Honorable Court.
26

27 331. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
28 a response is required Defendant denies all allegations directed at it in paragraph “331” of the

1 Complaint and refers all questions of law to this Honorable Court.

2 **COUNT TWELVE**
3 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATION ACT 18**
4 **U.S.C 1962(C)**

5 332. Defendant incorporates by reference its answers and responses to Plaintiff's
6 allegations contained in Paragraphs 1-331 of Plaintiff's Complaint as if fully re-stated herein.

7 333. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
8 a response is required Defendant denies all allegations directed at it in paragraph "333" of the
9 Complaint and refers all questions of law to this Honorable Court.

10 334. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
11 a response is required Defendant denies all allegations directed at it in paragraph "334" of the
12 Complaint and refers all questions of law to this Honorable Court.

13 335. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
14 a response is required Defendant denies all allegations directed at it in paragraph "335" of the
15 Complaint and refers all questions of law to this Honorable Court.

16 336. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
17 a response is required Defendant denies all allegations directed at it in paragraph "336" of the
18 Complaint and refers all questions of law to this Honorable Court.

19 337. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
20 a response is required Defendant denies all allegations directed at it in paragraph "337" of the
21 Complaint and refers all questions of law to this Honorable Court.

22 **COUNT THIRTEEN**
23 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATION ACT 18**
24 **U.S.C 1962(C)**

25 338. Defendant incorporates by reference its answers and responses to Plaintiff's
26
27
28

1 allegations contained in Paragraphs 1-337 of Plaintiff's Complaint as if fully re-stated herein.

2 339. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
3 a response is required Defendant denies all allegations directed at it in paragraph "339" of the
4 Complaint and refers all questions of law to this Honorable Court.

5 340. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
6 a response is required Defendant denies all allegations directed at it in paragraph "340" of the
7 Complaint and refers all questions of law to this Honorable Court.

8 341. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
9 a response is required Defendant denies all allegations directed at it in paragraph "341" of the
10 Complaint and refers all questions of law to this Honorable Court.

11 342. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
12 a response is required Defendant denies all allegations directed at it in paragraph "342" of the
13 Complaint and refers all questions of law to this Honorable Court.

14 343. These allegations were dismissed by order of the Court, Dkt. 50. To the extent
15 a response is required Defendant denies all allegations directed at it in paragraph "343" of the
16 Complaint and refers all questions of law to this Honorable Court.

17 **GENERAL DENIAL**

18 Any and all allegation in the Complaint that are not specifically admitted are hereby
19 denied.

20 **DEFENSES**

21 Defendant asserts the following affirmative defenses without assuming the burden of
22 proof or persuasion that would otherwise remain with Plaintiff. Each defense is asserted to all
23 claims against the answering Defendant. Nothing stated herein should be construed as an

1 admission that any particular issue or subject matter is relevant to Plaintiff's allegations.
2 Defendant reserves the right to assert additional affirmative defenses as they become known
3 through the course of discovery in this matter. As separate and affirmative defenses,
4 Defendant alleges as follows:

5 **FIRST AFFIRMATIVE DEFENSE**

6
7 For Defendant's First Affirmative Defense to Plaintiff's Complaint, Defendant states that
8 Plaintiff's claims are barred by the statute of limitations. Specifically, Defendant contends that
9 Plaintiff's Complaint is barred, in whole or in part, by the one-year statute of limitations applicable
10 to consumer fraud claims, A.R.S. § 12-541 (however, pursuant to this Court's March 25, 2024 Order
11 (ECF Doc. 50), Plaintiff's Arizona Consumer Fraud Act ("CFA") claim (Count Seven of the
12 Complaint) was dismissed); two-year statute of limitations for tort claims and negligence claims,
13 A.R.S. § 12-542; the three-year statute of limitations, which applies to claims for restitution, A.R.S. §
14 12-543; the four-year statute of limitations, which is applicable to claims for unjust enrichment
15 A.R.S. § 12-550.
16

17 **SECOND AFFIRMATIVE DEFENSE**

18 In the alternative, and without waiving its denial of liability, Defendant states that
19 Plaintiff has failed to join one or more indispensable parties the names and/or identities of
20 many of which are unknown to Defendant, including, but not limited to, the United States
21 Government and its related agencies (such DOJ, BATFE, FBI and DHS); the Mexican
22 government, military, and law enforcement officials who supply illegal firearms to the cartels;
23 the cartel members, associates, or agents; the alleged straw purchasers; the alleged firearm
24 traffickers; the individuals who allegedly committed crimes with alleged illegally trafficked
25 firearms, and the foreign and domestic sources of firearms for cartels in Mexico.
26
27
28

THIRD AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant states that Plaintiff's claims are barred in whole, or in part, because Plaintiff lacks standing as to one or more of the claims in Plaintiff's Complaint.

FOURTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant states that Plaintiff has failed to state a claim upon which relief can be granted.

FIFTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant states that the acts and omissions of Plaintiff or third parties for whom Defendant is not legally responsible or liable constitute a new and independent cause of any damages allegedly sustained by Plaintiff such that there can be no finding that any act or omission on the part of Defendant proximately caused Plaintiff's alleged damages.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff's damages, if any, were solely caused by the intentional or negligent acts of persons over whom this Defendant had no control or duty to control, and for whom this Defendant bears no legal responsibility, thereby precluding liability.

SEVENTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant states that any fault in this matter should be judged comparatively. If it is found that the Plaintiff sustained injuries as a result of the occurrence described in Plaintiff's Complaint, which Defendant denies, then Plaintiff's own negligence contributed to Plaintiff's injuries, including but not limited to the failure to enforce the criminal and civil laws of Mexico against criminal drug

1 cartels which actually cause injury in Mexico and accordingly, any recovery, must be reduced
2 by the percentage of Plaintiff's own negligence.

3 **EIGHTH AFFIRMATIVE DEFENSE**

4 In the alternative, and without waiving its denial of liability, Defendant states that if
5 Plaintiff sustained damage, such damage was caused by third parties not under Defendant's
6 control or that third parties not under Defendant's control contributed to cause Plaintiff's
7 alleged damages.
8

9 **NINTH AFFIRMATIVE DEFENSE**

10 In the alternative, and without waiving its denial of liability, Defendant states that
11 Plaintiff's claim for damages is the result of the negligence and carelessness of Plaintiff and/or
12 of others over whom Defendant had no control, and accordingly, any recovery, if any, that
13 Plaintiff may receive must be reduced by the percentage of Plaintiff's own negligence and/or
14 the negligence of others who contributed to Plaintiff's injuries and/or damages.
15
16

17 **TENTH AFFIRMATIVE DEFENSE**

18 In the alternative, and without waiving its denial of liability, Defendant states that it
19 owes no duty to Plaintiff with regard to the conditions referred to in Plaintiff's Complaint.
20

21 **ELEVENTH AFFIRMATIVE DEFENSE**

22 In the alternative, and without waiving its denial of liability, Plaintiff's damages, if any,
23 were caused or contributed to by the intentional or negligent acts of persons over whom this
24 Defendant had no control or duty to control, and for whom this Defendant bears no legal
25 responsibility, and such fault should be compared pursuant to comparative fault laws,
26 including pursuant to A.R.S. § 12-2506.
27
28

TWELFTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant denies that it is in any way liable to Plaintiff or is any way negligent, however, to the extent that Plaintiff should recover by settlement any sums from any other entity or party with respect to the claims raised herein, and to the extent any exceptions are found applicable to several only liability, Defendant is entitled to a reduction of damages or to a set-off for any such settlement.

THIRTEENTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Plaintiff failed to mitigate its damages.

FOURTEENTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Plaintiff's claims must be dismissed because Defendant was, at all times relevant, a properly licensed federal firearms dealer, which followed all proper federal firearms regulations and is entitled to the immunity provisions of the Protection of Lawful Commerce in Arms Act, 15 U.S.C. § 7901 et seq.

FIFTEENTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Plaintiff's claims are barred, in whole or part, because the proximate and legal cause of any injury was the criminal misuse of said firearms by the individuals owning, possessing, and/or handling the firearm.

SIXTEENTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant did not owe or breach any duty owed to Plaintiff.

SEVENTEENTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant denies that any

1 of Plaintiff's alleged damages were proximately caused by any act, omission, or misconduct
2 of this Defendant.

3 **EIGHTEENTH AFFIRMATIVE DEFENSE**

4 In the alternative, and without waiving its denial of liability, Plaintiff's claims for relief
5 before the Court violate the constitutional separation of powers in that Plaintiff seeks to have
6 the judicial branch create legislative policy.
7

8 **NINETEENTH AFFIRMATIVE DEFENSE**

9 In the alternative, and without waiving its denial of liability, Defendant's alleged
10 conduct is too remote in relation to the proximate cause(s) of injury to Plaintiff to permit
11 recovery as a matter of law.
12

13 **TWENTIETH AFFIRMATIVE DEFENSE**

14 In the alternative, and without waiving its denial of liability, Defendant states that the
15 event causing the damages alleged in Plaintiff's Complaint could not be reasonably
16 anticipated by Defendant.
17

18 **TWENTY-FIRST AFFIRMATIVE DEFENSE**

19 In the alternative, and without waiving its denial of liability, there is no causal
20 relationship between the conduct of Defendant and the damages as alleged by Plaintiff.
21

22 **TWENTY-SECOND AFFIRMATIVE DEFENSE**

23 In the alternative, and without waiving its denial of liability, Defendant states that
24 Plaintiff failed to undertake precautions, which entity would use to protect its citizens against
25 dangers which a reasonable and careful user would or should reasonably appreciate in a same
26 or similar circumstance.
27
28

TWENTY-THIRD AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Plaintiff's claims are barred by superseding and intervening intentional, negligent, reckless, and/or criminal acts of third parties.

TWENTY-FOURTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant states independent, intervening, and superseding forces and/or actions of parties or third parties proximately caused or contributed to the alleged losses or damages, barring recovery from Defendant.

TWENTY-FIFTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant states Plaintiff's claims for enhanced and/or punitive damages, if any, are barred because the alleged harm suffered was not the result of this answering Defendant's acts or omissions and such acts or omissions, if any, were not performed knowingly, intentionally, or willfully.

TWENTY-SIXTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant states any award of enhanced and/or punitive damages would violate the excessive fines clause of the Eighth Amendment to the Constitution of the United States.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant states to the extent Plaintiff seeks punitive damages, any such claims for punitive damages are barred by the following: Commerce Clause of Article I, Section 8 of the U.S. Constitution; the Contracts Clause of Article I, Section 10 of the U.S. Constitution; the prohibition against ex

1 post facto laws embodied in Article I, Section 10 of the U.S. Constitution; the Supremacy
 2 Clause of Article VI of the U.S. Constitution; the First, Fifth, Eighth and Fourteenth
 3 Amendments to the Constitution of the United States of America; as well as the due process
 4 and equal protection provisions contained in the Constitution of Arizona. An award of
 5 punitive damages is not justified under the facts of this case and any such award will constitute
 6 a denial of equal protection, a denial of due process and/or the imposition of an excessive
 7 fine. An award of punitive damages must conform with the law as set forth in State Farm
 8 Automobile Ins. Co. v. Campbell, 538 U.S. 408 (2003), BMW of North America, Inc. v. Gore,
 9 517 U.S. 559 (1996), Cooper Industries, Inc. v. Leatherman Tool Group, 532 U.S. 424 (2001),
 10 and such other and future cases interpreting the laws involving the bases, standards, burdens
 11 of proof and amounts of punitive or exemplary damages under the given set of facts and
 12 circumstances. In the unlikely event that the issue of punitive damages is properly put before
 13 a trier of fact in this case, Defendant is entitled to a unanimous jury verdict as to such a finding
 14 of fact and to bifurcation of this “punishment” phase and to a jury instruction that mandates
 15 a higher burden of proof upon Plaintiff than a mere preponderance of the evidence.
 16

19 **TWENTY-EIGHTH AFFIRMATIVE DEFENSE**

20 In the alternative, and without waiving its denial of liability, punitive damages are
 21 barred by operation of A.R.S. § 12-689, et seq.
 22

23 **TWENTY-NINTH AFFIRMATIVE DEFENSE**

24 In the alternative, and without waiving its denial of liability, Defendant states this
 25 answering Plaintiff is not entitled to any damage award violative of Defendant’s due process
 26 and equal protection rights and other rights set forth in the United States Constitution or rights
 27 under the Arizona Constitution.
 28

THIRTIETH AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, punitive damages are barred by the holding of Swift Transportation Co. of Az., LLC v. Carman 515 P.3d 685.

THIRTY-FIRST AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant pleads the defense of illegality as to Plaintiff's conduct relative to this Complaint. In this regard, Plaintiff's alleged injuries were caused by its own illegal activities or the illegal activities of persons under its control. Such illegal activities would include, but are not limited to, illegal conduct with the cartels, police and law enforcement corruption, allowing persons to illegally possess firearms, obtaining firearms from illegal sources, intentionally and/or negligently ignoring and turning a blind eye to drug, cartel and illegal firearms trafficking activities and issues in Mexico, and/or other illegal schemes or conduct that resulted in harm to Mexico's citizens and/or violence by the cartels.

THIRTY-SECOND AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant pleads the defense of assumption of risk as to Plaintiff's conduct relative to this Complaint and with respect to the claims for gross negligence, including the fact that Plaintiff has failed to curtail or remedy cartel violence and that Plaintiff's own improper conduct with respect to allowing the cartels to operate and/or intentionally and/or negligently ignoring and turning a blind eye to drug, cartel and illegal firearms trafficking activities and issues in Mexico has contributed to the alleged injuries sustained by Plaintiff.

THIRTY-THIRD AFFIRMATIVE DEFENSE

In the alternative, and without waiving its denial of liability, Defendant pleads the defense of estoppel and unclean hands as to Plaintiff's conduct relative to this Complaint, including estoppel by representation, estoppel by acquiescence, equitable estoppel and estoppel by convention. In this

1 regard, Plaintiff has presented or stated facts that were not true and upon which Defendant
2 detrimentally relied, including that it would police its borders, stop corruption and illegal flow of
3 firearms within its country, and would make efforts to prevent and deter cartel violence, drug violence
4 and related firearms crimes. Plaintiff's own negligence, improper conduct, acquiescence, and/or
5 inaction in failing to curtail or remedy cartel and drug violence while intentionally and/or negligently
6 ignoring and turning a blind eye to such issues precludes Plaintiff from bringing this lawsuit.

7 **THIRTY-FOURTH AFFIRMATIVE DEFENSE**

8
9 In the alternative, and without waiving its denial of liability, Defendant pleads the
10 defense of laches as to Plaintiff's conduct relative to this Complaint.

11 **THIRTY-FIFTH AFFIRMATIVE DEFENSE**

12
13 In the alternative, and without waiving its denial of liability, Plaintiff's claims are
14 barred by the economic loss rule.

15 **THIRTY-SIXTH AFFIRMATIVE DEFENSE**

16 In the alternative, and without waiving its denial of liability, Defendant asserts the
17 provisions of Title 12, Chapter 16 of the Arizona Revised Statutes, the Uniform Contribution
18 Among Tortfeasors Act, including the right to contribution, comparative negligence, pro rata
19 distribution, several liability, and apportionment of fault.
20

21 **THIRTY-SEVENTH AFFIRMATIVE DEFENSE**

22 In the alternative, and without waiving its denial of liability, Plaintiff's claims are in
23 violation of the First and Second Amendments to the United States Constitution as well as
24 the Commerce Clause.
25

26 **THIRTY-EIGHTH AFFIRMATIVE DEFENSE**

27 In the alternative, and without waiving its denial of liability, the conduct at issue in
28

1 Plaintiff's claims are too remote and derivatives to permit recovery.

2 **THIRTY-NINTH AFFIRMATIVE DEFENSE**

3 In the alternative, and without waiving its denial of liability, Defendant states this
4 answering Defendant incorporates by reference the defenses raised by other Defendants in
5 their answers to the Plaintiff's Complaint.
6

7 **JURY DEMAND**

8 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Defendants demand a trial
9 by jury on all issues appropriate for the jury to consider.
10

11
12 WHEREFORE, having fully answered Plaintiff's Complaint, Defendant respectfully
13 requests that this Court dismiss Plaintiff's Complaint with prejudice and grant Defendant its
14 costs and for any other further relief that this Court deems just and proper in the
15 circumstances.
16

17 DATED this 2nd day of December 2024

18 Defendant Ammo A-Z, LLC

19 s/Danny C. Lallis

20 Danny C. Lallis (Pro Hac Vice)

21 dlallis@pisciotti.com

22 Ryan L. Erdreich (Pro Hac Vice)

23 rerdreich@pisciotti.com

24 Anthony M. Pisciotti (Pro Hac Vice)

25 apisciotti@pisciotti.com

26 PISCIOTTI LALLIS ERDREICH

27 30 Columbia Turnpike, Suite 205

28 Florham Park, New Jersey 07932

(973) 245-8100

and

s/Brian Cieniawski

Brian Cieniawski

brian.cieniawski@wilsonelser.com

WILSON ELSER MOSKOWITZ

EDELMAN & DICKER LLP

2231 East Camelback Road, Suite 200

Phoenix, Arizona 85016

(480) 790.9446 (Direct)

(480) 562.3660 (Main)

CERTIFICATE OF SERVICE

I, Ryan L. Erdreich, hereby certify that this document was filed with the Clerk of the Court via CM/ECF. Those attorneys who are registered with the Court's electronic filing systems may access this filing through the Court's CM/ECF system, and notice of this filing will be sent to these parties by operation of the Court's electronic filing system.

Dated: December 2, 2024

By: s/Danny C. Lallis
Danny C. Lallis (*Pro Hac Vice*)
dlallis@pisciotti.com